

227947



Complaint Form

2/4/11
ORS/S.A. *(initials)*

Print

Date: 2/2/2010

2611-55-C

Complainant or Legal Representative Information:

* Required Fields

Name *

Michelle Shearn

Firm (if applicable)

Mailing Address * 364 Valley Hills Lane

City, State Zip * Columbia SC 29223

Phone * 803-429-7394

E-mail * missywolfpack@yahoo.com

Name of Utility Involved in Complaint: * Jacob Creek Pabon LLC

NOTE: If AT&T is the utility involved, please complete the attachment located at the end of this form.

Type of Complaint (check appropriate box below.) *

- | | | | |
|---|--|--|---|
| <input checked="" type="checkbox"/> Billing Error/Adjustments | <input type="checkbox"/> Deposits and Credit Establishment | <input type="checkbox"/> Wrong Rate | <input type="checkbox"/> Refusal to Connect Service |
| <input type="checkbox"/> Disconnection of Service | <input type="checkbox"/> Payment Arrangements | <input type="checkbox"/> Water Quality | <input type="checkbox"/> Line Extension Issue |
| <input type="checkbox"/> Service Issue | <input type="checkbox"/> Meter Issue | | |
| <input type="checkbox"/> Other (be specific) _____ | | | |

Have you contacted the Office of Regulatory Staff (ORS)? * ☒ Yes ☐ No

Name of ORS Contact: Complaint on Record

Concise Statement of Facts/Complaint: * (This section must be completed. Attach additional information to this page if necessary.)

The company is still sending out letters informing residents they owe technology fee of \$420.00. They do not have a legal Technology License and are still pursuing this fee. THE JCR LLC IS NOT telling all the residents they are not a legal entity for this field. THEY ARE Attempting to deceive the home owners unaware of your judgement. They are interfering time waster is not covering the charges to switch, when the Board knows TW is doing this at decision cost!

Relief Requested: * (This section must be completed. Attach additional information to this page if necessary.)

Please tell JACOB PABON LLC TO STOP; desist in collecting funds. order them to notify all residents.
Thank you

STATE OF SOUTH CAROLINA)

VERIFICATION

COUNTY OF Richland)

I, Michelle Shearn

verify that I have read my complaint filed on 2/2/2010

Complainant's Name *

Date *

and know the contents thereof, and that said contents are true

Michelle Shearn
Complainant's Signature *

Internal Use Only

Processed By	Date
H.E.	



Attachment to Complaint Form

Complete this page only if your complaint involves AT&T.

1. Was your AT&T service activated after September 30, 2009?

☐ YES

☒ NO

2. Does your bill from AT&T include monthly charges for any of the following services?

- ☐ AT&T Internet Access Service (dial-up or DSL)
- ☐ AT&T Wireless Service
- ☐ AT&T U-verse Service
- ☐ Caller ID
- ☐ Complete Choice
- ☐ Preferred Pack
- ☐ Long distance service provided by any AT&T company

P.S. TIME WARNER has All ready laid Lines
in this subdusion. They signed a non-competition
agreement to not provide services outside
JAWB nation we. They are attempting to
decieve.

Rabon Farms

Homeowners Association

Memorandum

To: Rabon Farms Homeowners
From: Rabon Farms Homeowners Association
Date: 12/22/2010
Re: Annual Assessment for 2011

Attached please find the 2011 Budget with notes, a generic invoice for your 2011 Assessment (please provide the information requested on the invoice and return a copy of the invoice with your payment), an additional invoice (where applicable) reflecting any credit or past due amount, and a payment booklet to help you keep track of the payments you make throughout the year.

Please be aware that agreement was recently reached with **Time Warner Cable** to begin providing **"Bundled Services"** (cable, internet and phone service) to the community. It is anticipated that the change in providers will occur during 2011 and that it will be beneficial to all concerned. You will receive further correspondence related to this transition and how it will affect you, as the process of transfer unfolds. The first step in this process will be the installation of additional infrastructure that will allow Time Warner Cable to provide these services. Time Warner is in the process of designing the system at present and it is expected that you will see their construction crews in the community very soon.

When Time Warner Cable becomes a provider (sometime after the infrastructure changes are complete), they will also start to maintain the infrastructure that they will have installed. At that point, the Technology Fee that is a part of your quarterly assessment will no longer be charged by the Association. You are, however, required to continue to pay the Technology Fee until the transfer is complete, which will allow the current provider (JR Communications) to continue to maintain the existing infrastructure until the transfer occurs. Please know that the Association plans to aggressively attempt to collect both current and past due Technology Fees and that the transfer of responsibility will in no way affect a lot owners obligation to pay these fees to the Association for any period prior to the point when the fees are discontinued.

These Regular Assessments help to defray the costs of operating and insuring the Association, and help to cover some of the cost of the utilities, maintenance of the common areas, landscaping, irrigation, and lighting that are the responsibility of the Association. Accordingly, this assessment applies to all Association members. Unless your 2010 Assessment was collected from closing, any payments made from closings in 2010 were applicable to that year only. The Association's fiscal year runs from January 1st to December 31st of each year.

Please note that for 2011 the Annual Assessment that you are being charged is **\$595.00**. You should note from the Budget that for 2011, that the Association has again decided to split the Annual Assessment into four (4) quarterly installments. As stated above, until you are notified otherwise, you will continue to pay a Technology Fee as part of your assessment. This fee will be passed on to JR Communications, who provides maintenance of the current infrastructure that carries the bundled services. As was the case in 2010, if you have signed on for bundled services from the current provider, you will be given a credit on your monthly bill that equals what you pay to the Association for that month. This will continue until Time Warner Cable becomes the provider of Bundled Services. As before and until you are notified otherwise, this means that you get a credit monthly, but pay the same amount as three (3) months of this credit to the Association in your quarterly payment to the Association. Since this funding supports the infrastructure that allows the bundled services to be available to all lot owners throughout the community, if you have not signed on for Bundled Services, you will receive no credit, but will still be required to pay the Technology Fee as part of your quarterly assessment. When the transition is completed, the assessment that you pay will also be reduced along with everyone else.

Though a quarterly payment schedule will be utilized by the Association for 2011, the Association may revert to an annual payment schedule beginning in 2012. Please note that the due dates for your 2011 quarterly installments toward the Annual Assessment are **January 1st, April 1st, July 1st and October 1st**. **You will not receive additional billing for these installments, unless you become delinquent, so mark your calendar for these payments.** The Declaration (Covenants or Restrictions) automatically makes anyone who owns a lot in Rabon Farms a member of the Association and creates a foreclosable lien on each lot in the community to aid the Association in collecting the Annual Assessments. Assessments are also a personal and legal obligation of each owner of a lot or home.

The Board of the Association has retained MJS Inc., an association management company, to act as Treasurer of the Association and to manage most of the Association's financial activities. Some of their responsibilities include: sending out this Assessment Notice, the collection of Assessments, payment of the normal expenses of the Association and the keeping of records for all of these activities. They also provide attorneys with information with respect to the payment of assessments and update the Association's database when closings in Rabon Farms occur.

MJS Inc. is gathering the names of homeowners who would like to help us organize the Association and develop a committee structure made up of homeowners. This organizational process requires the substantial involvement of a number of homeowners in order to be successful. When MJS Inc. is instructed to do so by the Board of Directors, homeowners who have indicated their interest will be contacted and the process will begin. At some point thereafter and when the structure of the Association is more complete, MJS Inc. will move the Association toward a Special Meeting where a new Board of Directors will be elected by the membership. If you are interested in helping us with this process, please check the appropriate box located on the invoice so that when the process begins, you can be contacted.

The Association has the authority to enforce violations of the Restrictions and to "architecturally" control any structure that has been built or that is to be constructed on a lot within Rabon Farms. Applications for approvals required by the governing documents should be filed with the Rabon Farms Homeowners Association through MJS Inc. at the numbers and address listed below.

The Association received several complaints this year in reference to parking and pet violations. All passenger vehicles are to be parked within the garages or in a driveway. Parking on landscaping or on the street is strictly prohibited. If street parking must be utilized temporarily please ensure that the vehicle is located in a manner that prevents hazardous conditions. All lot owners are required to properly maintain their pets to include controlling noise from pets, cleaning up any fecal deposits during walking and proper containment (leashed during walking and securing while on the lot).

All checks should be made payable to **Rabon Farms HOA** and mailed to the Association at **4910 Trenholm Road, Suite C, Columbia, S.C., 29206** (close to Trenholm Plaza). MJS Inc. can be contacted at (803) 743-0600 by phone or by fax at (803) 790-0340 during normal business hours (9:00 AM to 5:30 PM, Monday through Friday). Their e-mail address is **mjs@mjsmgt.com**.

Thank you in advance for your attention to this matter.

*So if they do
not have a legal
license why are they aggressively
going to sue back payment?*

Projected 2011 Rabons Farm Budget

	2011 403 Lots
<u>Expenses</u>	
<u>Administrative</u>	
Management (See note # 1 on attached page using 403 of 403 lots)	\$13,563.00
Accounting	\$250.00
Declaration Enforcement	\$400.00
Property Taxes	\$550.00
Legal	\$1,500.00
Postage	\$550.00
Copying	\$550.00
Supplies	\$80.00
Checking Charges	\$100.00
Subtotal	\$17,543.00
<u>Insurance</u> (See note # 2 on attached page)	
Hazard, General Liability and Directors Coverage	\$3,900.00
Subtotal	\$3,900.00
 <u>Recreational Facilities</u>	
Landscape Maintenance	\$16,820.00
General Facilities Maintenance, Repair and Replacement	\$1,000.00
Walking Trails	\$1,000.00
Street Lighting	\$22,512.00
Electricity (Entrance and Gazebo Area)	\$3,500.00
Well Maintenance	\$1,000.00
Sprinkler Maintenance	\$750.00
Lighting Maintenance	\$500.00
Subtotal	\$47,082.00
 Contingency (See note # 3 on attached page)	\$1,000.00
Capital Reserves (See note # 4 on attached page)	\$1,000.00
Total	\$70,525.00
Projected Income from Assessments (See note # 5 on attached page using 403 of 403 lots)	(\$70,525.00)
Deficit (See note # 6 on attached page)	\$0.00
 Annual Assessment	\$175.00
Technology Fee (@\$35 per month. Credit applied to monthly bill if on their service)	\$420.00
Total Annual Assessment	\$595.00
Quarterly Installment	\$148.75

Disclaimer: The figures outlined in this Budget are estimates only and will change based upon the actual expenditures of the Association and the Assessments collected. The number of lots and the number of acres contained within the community as well as used herein can be changed by the Developer at its sole option, from time to time. This Budget shall not be construed or interpreted as obligating the Developer to incorporate any number of lots or acres into the community or to pay any Deficit that has been projected.

Notes for Budget

Note # 1: Management – MJS Inc. has been hired as Treasurer of the Association by the Board of Directors of the Association. As Treasurer, MJS Inc. will operate under the direction of the Board of Directors and will be compensated on the following scale: (a) a base fee per month, plus (b) a gradually decreasing fee for each lot transferred (closed) by the Developer (using the total number of lots transferred at the end of each month). The amount provided in the Budget is based upon build out (the total number of lots anticipated upon completion.)

Note # 2: Liability Insurance –The amount budgeted is an estimate of the cost of obtaining General Liability, Hazard and Directors and Officers coverage.

Note # 3: Contingency – The Contingency is an amount budgeted to cover unforeseen expenses of the Association or the expenses of the Association that exceed the amounts budgeted. The Contingency shall not be construed to be an Expense or a Reserve, but shall be used solely to cover the unusual or unplanned expenses of the Association during the year for which it is budgeted.

Note # 4: Capital Reserves – If an amount is shown here, these funds are accumulated annually to repair and replace, not build or enlarge the facilities of the Common Area. The amount of the Capital Reserves is determined by the Board of Directors annually based upon their estimation of the funding needed to meet this responsibility. Capital Reserves, when collected, shall be maintained, as budgeted, over and above the normal operating expenses of the Association but can be utilized by the Board in times of cash flow shortfall. Capital reserves are funded after the balances of the Expenses of the Association are paid. For Budget years where there is a significant delinquency in the collection of assessments from homeowners, the Capital Reserves may not be funded until these assessments are collected in the future.

Note # 5: Income from Assessments – There will be no assessment due for any lot until the plat on which the lot is shown is recorded. The amount of the Assessment for any lot recorded during the year shall only be that portion of the Annual Assessment charged by the Association that applies to the period from the recording of that subdivision plat to the end of the year. For the purpose of this budget only, the amount shown as Income from Assessments was calculated by multiplying the Annual Assessment for the budget year by either a) the number of lots projected to be in place at build out or b) the number of lots platted as of January 1st of the Budget year, plus a percentage of the number of lots projected by the Developer to be added to the community by plats recorded during this year.

Note # 6: Deficits – If the assessments available for collection in a given year do not cover the actual expenses of the Association a Deficit will result. The Developer has the option of paying Assessments for the lots that it owns during the year as outlined in note # 5 or of paying any Deficit that may remain at the end of the year, after the Expenses of the Association are paid and the Capital Reserves for the year are met (see above). The Developer may advance funds to the Association from time to time to allow the Association to meet its financial obligations or any Deficit that may result at the end of a fiscal year. These advances shall be applied to any payments due from the Developer or, if they exceed the amount due from the Developer, at the option of the Developer, shall constitute a loan to the Association. This Budget shall in no way be construed or interpreted as obligating the Developer to incorporate any number of lot or acres into the community, to pay any Deficit projected, or to pay any unexpended expenses or contingency.

Rabons Farm

Homeowners Association

Invoice

Invoice Date: December 22, 2010

For: 2011 Annual Homeowners Assessment

Total Amount to be paid Quarterly **\$148.75**

Quarterly Payments are due January 1, April 1, July 1 and October 1.

Total Annual Assessment to be paid for 2011 **\$595.00**

Note: Please remit the amount entered above no later than the close of business on the dates identified. Payment covers the period from 1/1/2011 to 12/31/2011. Please complete the information below and return a copy of the invoice with payment. If your account has been turned over to the Associations attorney for collections this statement does not reflect any attorney charges. Payment may be made by check payable to the Rabons Farm HOA, mailed to the Association's office at 4910 Trenholm Road, Suite C, Columbia, S.C., 29206. Your help is requested in correcting any errors in our records. Should this invoice be incorrect or have been mailed in error, please notify the Association at once by calling MJS Inc. at (803) 743-0600 or writing the Association at the address above. The office hours are 9:00 A.M. until 5:30 P.M., Monday through Friday. Email responses should be sent to mjs@mjsmgt.com.

The Annual Assessment is a personal obligation of each lot owner in the community despite any dispute that they might have with the Developer, a builder or the Association. The right of the Association to collect this Assessment is established in the Declaration which encumbers each lot in the community. For questions about this obligation, the Declaration or the Association's By-Laws please contact MJS at the above numbers or address.

Please complete the following:

Community: **Rabons Farm**

Lot #: _____ Property Address: _____

Owner's Last Name _____ First Name _____ Middle Initial _____

Mailing Address _____ Phone _____

City _____ State _____ Zipcode _____

Email Address _____

- ☐ I would like to be involved in Association activities.
- ☐ I would like to be on one of the Association's committees. Committee _____
(Architectural-Violation Monitoring, Landscaping, Crime Watch, Communications, Membership, General)